

### **REMARKS**

This is in response to the Office Action mailed 8/08/2008. This response should obviate outstanding issues and make the remaining claims allowable. Reconsideration of this application is respectfully requested in view of this response/amendment.

### **STATUS OF CLAIMS**

Claims 1-31 are pending.

Claim 4 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Claims 1, 2, 4, 6-13, 16-20, 24 and 25 stand rejected under 35 USC §103(a) as being unpatentable over Benson et al. (U.S. Published Application 2003/0200212) in view of Cotner et al. (U.S. Patent 5,884,327).

Claims 3, 14, 21, 22, 26, 27 and 29-31 stand rejected under 35 USC §103(a) as being unpatentable over Benson in view of Cotner and further in view of Freund et al. (U.S. Patent 5,923,833).

Claims 5, 15 and 23 stand rejected under 35 USC §103(a) as being unpatentable over Benson in view of Cotner and further in view of Hoffman et al. (U.S. Patent 5,261,102).

Claim 28 stands rejected under 35 USC §103(a) as being unpatentable over Benson in view of Cotner, further in view of Freund, and further in view of Hoffman.

**REJECTIONS UNDER 35 U.S.C. § 112, 2<sup>nd</sup> ¶**

Claim 4 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. A minor clarifying amendment has been made to claim 4 to overcome the 35 U.S.C. §112, second paragraph, rejection. Applicants respectfully request the Examiner to withdraw the 35 U.S.C. §112 rejection.

**REJECTIONS UNDER 35 USC §103(a)**

Claims 1, 2, 4, 6-13, 16-20, 24 and 25 stand rejected under 35 USC §103(a) as being unpatentable over Benson et al. (U.S. Published Application 2003/0200212), hereafter “Benson,” in view of Cotner et al. (U.S. Patent 5,884,327), hereafter “Cotner.” Claims 3, 14, 21, 22, 26, 27 and 29-31 stand rejected under 35 USC §103(a) as being unpatentable over Benson in view of Cotner and further in view of Freund et al. (U.S. Patent 5,923,833), hereafter “Freund.” Claims 5, 15 and 23 stand rejected under 35 USC §103(a) as being unpatentable over Benson in view of Cotner and further in view of Hoffman et al. (U.S. Patent 5,261,102), hereafter “Hoffman.” Claim 28 stands rejected under 35 USC §103(a) as being unpatentable over Benson in view of Cotner, further in view of Freund, and further in view of Hoffman. The rejections with regards to claims 7 and 17 are considered moot in light of their rejection via the current amendment.

To be properly rejected under 35 U.S.C. § 103(a), the cited references have to provide for each and every element of the rejected claims. Applicants respectfully submit that the various combinations of the Benson, Cotner, Freund, and Hoffman fail to teach or suggest many of the features of the rejected claims.

Applicants' independent claim 1 specifically teaches the feature of inserting an entry in the relational table corresponding to an unit of work and transmitting an instruction to a server to prepare to commit for the transaction (the inserted entry indicating that the unit of work is potentially an indoubt entry), wherein, to minimize cost, a request for the insertion of the entry is placed on a network message that includes said instruction to said server to prepare to commit for said transaction. The corresponding article of manufacture claim 12 also teaches for a similar feature.

For support of his/her arguments with respect to this feature (which was previously recited in dependent claims 7 and 17), the Examiner relies on paragraphs [0022] and [0023] of Benson et al. Paragraph [0022] of Benson et al. merely mentions the interactions of the client, the library server, and the resource server, wherein such interactions result in the storage of an item. Paragraph [0022] of Benson et al. also teaches the use of tracking tables that are used to indicate when a problem has occurred during such storage. Paragraph [0023] of Benson et al. continues the discussion regarding the storage of objects and further expands on the success and failure messages associated with either a successful or unsuccessful updating/deleting of an entry in the tracking table.

Conspicuously absent in Paragraph [0022] and [0023] is a teaching for the step of placing a request for insertion of a potentially indbout entry in a relational database along with the instruction to prepare to commit a transaction. Applicants respectfully submit that such mentions of interaction between a client and a server for the purpose of storing a new item

or such mentions of success and failure messages associated with a tracking table CANNOT render obvious the feature of placing a request for insertion of a potentially indoubt entry in a relational database **along with** the instruction to prepare to commit a transaction. The secondary reference (i.e., Cotner et al.) was not cited by the Examiner as teaching such a feature. Applicants, therefore, respectfully submit that the combination of Benson et al. and Cotner et al. fail to teach all features of independent claims 1 and 12.

Applicants wish to point out that independent claim 18 teaches a similar feature as described above. Specifically, Applicants' claim 18 recites the feature of inserting, via an SQL INSERT instruction, an indoubt entry in an SQL table corresponding to said unit of work and transmitting a prepare to commit instruction to said database cluster, wherein the SQL INSERT instruction and the prepare-to-commit instruction is placed on one network message to minimize cost. The above-presented arguments substantially apply as the cited references (Benson et al. and Cotner et al.) do not teach such cost minimization by placing two messages – one for the SQL INSERT instruction and another for the prepare-to-commit transaction – in one network message. Applicants, therefore, respectfully submit that the combination of Benson et al. and Cotner et al. fail to teach all features of independent claims 18.

Applicants' independent claim 26 teaches the feature of a module extracting a list of indoubt units of work from a relational table and transmitting the extracted list to the client, wherein the client inspects the list and issues a COMMIT or ROLLBACK decision to the server regarding said indoubt units of work in the list. Applicants agree with the Examiner that such a feature is not rendered obvious by the combination of Benson et al. and Cotner et al.

However, Applicants respectfully disagree with the Examiner that such a feature is provided for by the Freund et al.'s column 11, lines 22-35.

Freund et al. teaches a method for restart and recovery of an OMG-compliant transaction system by logging, with a recovery service, recovery information for the client process in a log file. The Examiner's citation of column 11, lines 22-35 merely teaches that a transaction manager determines a transaction outcome in a conventional manner, and based upon this outcome, a decision is made regarding whether or not to ROLLBACK or COMMIT. Conspicuously absent in the Examiner's citation is a teaching for transmitting, to a client, an extracted list of indoubt units of work from a relational table, wherein the client inspects such a list and issues a COMMIT or ROLLBACK. Applicants, therefore, respectfully submit that the combination of Benson et al., Cotner et al., and Freund et al. fail to teach all features of independent claims 26.

The arguments presented above with regards to independent claims 1, 12, 18, and 26 substantially to pending dependent claims 2-6, 8-11, 13-16, 19-25 and 27-31 as they inherit all the features of the claim from which they depend. Therefore, at least for these reasons, the Examiner is respectfully requested to withdraw the 35 U.S.C. §103(a) rejections with regards to dependent claims 2-6, 8-11, 13-16, 19-25 and 27-31.

**SUMMARY**

As has been detailed above, none of the references, cited or applied, provide for the specific claimed details of Applicants' presently claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

This response is being filed with a fee for an extension of time. The Commissioner is hereby authorized to charge any deficiencies in the fees provided, or credit any overpayment, to Deposit Account No. 50-4098.

If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact Applicants' representative at the below number.

Respectfully submitted,

*/ramraj soundararajan/*

Ramraj Soundararajan  
Registration No. 53,832

IP Authority, LLC.  
4821A Eisenhower Ave  
Alexandria, VA 22304  
(703) 461-7060

January 8, 2009